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Tender

Central Venous Catheters

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

F02: Contract notice

Notice identifier: 2022/S 000-019208

Procurement identifier (OCID): ocds-h6vhtk-0351b0

Published 13 July 2022, 4:21pm

Section I: Contracting authority

I.1) Name and addresses

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

Email

patrick.mulraney@nhs.scot

Telephone

+44 1698794410

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Central Venous Catheters

Reference number

NP10622

II.1.2) Main CPV code

- 33141200 - Catheters

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Common Services Agency (more commonly known as National Services Scotland) ('the authority') acting through its division Procurement, Commissioning and Facilities is undertaking this procurement of supply and delivery of Central Venous Catheters on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e. All NHS Scotland Health Boards, Special Health Boards and the Authority of other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities'). The main supply route for these products will be via the NDC (National Distribution Centre) based in Larkhall South Lanarkshire.

II.1.5) Estimated total value

Value excluding VAT: £8,477,968

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

Coated Central Venous Catheters

Lot No

1

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Coated Central Venous Catheter (CVC) which will minimise the risk of infection and is for use

in, but not limited to; administering medication or fluids that are unable to be taken by mouth or would harm a smaller peripheral vein, to obtain blood tests and to measure central venous pressure.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and

describing the product. This product is required in varying lengths, gauges and Lumens.

This Lot will be a Multi Supplier Unranked Framework, where we envisage seven suppliers to be awarded.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £716,570

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Non-Coated Central Venous Catheters

Lot No

2

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Non Coated Central Venous Catheter (CVC) for use in, but not limited to; for use in; administering

medication or fluids that are unable to be taken by mouth or would harm a smaller peripheral vein, to obtain

blood tests and to measure central venous pressure.

The product should have the required functionality to allow use across the varying environments found across

NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and describing the product. This product is required in varying lengths, gauges and Lumens.

This Lot will be a Multi Supplier Unranked framework, where we envisage seven participants to be awarded.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £588,486

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Paediatric Central Venous Catheters

Lot No

3

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Paediatric Central Venous Catheter (CVC) for use in, but not limited to; administering medication or fluids that are unable to be taken by mouth or would harm a smaller peripheral vein, to obtain blood tests and to measure central venous pressure.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and# describing the product. This product is required in varying lengths, gauges and Lumens.

This lot will be a Multi Supplier Unranked Framework, where we envisage seven Suppliers to be awarded.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £381,454

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Midline Catheters

Lot No

4

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Midline Catheter for longer term IV access which is ideal for patients whose treatment is expected to last more than three (3) days.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and describing the product. This product is required in varying lengths, gauges and Lumens.

Lot 4 — We envisage that seven suppliers will be awarded to this lot as a Multi Supplier

Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £460,593

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Skin Tunnelling Catheters

Lot No

5

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Skin Tunnelling Catheter suitable for long term insertion for use in, but not limited to; taking a blood sample, giving medication, giving blood or blood products, giving chemotherapy, intravenous feeding, bone marrow transplantation, and photopheresis.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and describing the product. This product is required in varying lengths, gauges and Lumens.

Lot 5 — We envisage that seven suppliers will be awarded to this Lot as a Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £436,994

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Antimicrobial PICC Lines

Lot No

6

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Antimicrobial (Peripherally Inserted Central Catheter) PICC Line, which is used for a prolonged period of time for Chemotherapy or Antibiotic therapy along with the administration of substances that should not be done

peripherally.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and

describing the product. This product is required in varying lengths, gauges and Lumens.

Lot 6 — We envisage that seven suppliers will be awarded to this lot as a Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £3,431,938

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Non Coated PICC's

Lot No

7

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Non Coated (Peripherally Inserted Central Catheter) PICC Line, which is used for a prolonged period of time for Chemotherapy or Antibiotic therapy along with the administration of substances that should not be done

peripherally.

The product should have the required functionality to allow use across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and

describing the product. This product is required in varying lengths, gauges and Lumens.

Lot 7 — We envisage that seven suppliers will be awarded to this lot as a Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £333,820

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Standard Arterial Line (Seldinger)

Lot No

8

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Seldinger Arterial Line, which can be inserted in a variety of arteries, the most common sites for

placement being the radial and the femoral artery.

The product should have the required functionality to maximise insertion life and minimise the risk of failed

insertion across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and

describing the product.

Lot 8 — We envisage that seven suppliers will be awarded to this lot as Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £999,283

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union

funds: No

II.2) Description

II.2.1) Title

Arterial Cannula (Non Seldinger)

Lot No

9

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a Non Selindger Arterial Cannula which is designed for insertion into peripheral arteries, allowing the for the determination of blood gas estimations or monitoring blood pressure.

The product should have the required functionality to maximise insertion life and minimise the risk of failed insertion across the varying environments found across NHS Scotland in a Acute and Community Environment.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and describing the product.

Lot 9 — We envisage that seven suppliers will be awarded to this lot as Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 30

Price - Weighting: 70

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

Two Optional extension options consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Single Use IV Saline Pre Filled Syringes

Lot No

10

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Single Use IV Saline Prefilled Syringes (in various sizes) which are designed to help prevent vascular access systems blockage and to clear any medication that may be left at the catheter site which will be used by clinically trained personnel across NHS Scotland.

Product must be Single Use, Sterile and Latex Free and be delivered in suitable packaging protecting and describing the product.

Lot 10 — We envisage that seven suppliers will be awarded to this lot as Multi Supplier Unranked Framework.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £153,496

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

CVC Insertion Packs

Lot No

11

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a CVC Insertion Pack that will contain a range of different consumable products that will be used for central line Insertion by suitably trained personnel across NHS Scotland. The contents of these packs will be agreed with Health Boards on an individual basis.

Lot 11 - We envisage seven suppliers being awarded to this lot as a Multi supplier unranked award.

II.2.5) Award criteria

Quality criterion - Name: Training/Support / Weighting: 30

Price - Weighting: 70

II.2.6) Estimated value

Value excluding VAT: £643,195

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Implantable Ports

Lot No

12

II.2.2) Additional CPV code(s)

- 33141200 - Catheters

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Implantable Ports and associated Needles which NHS Scotland give IV treatments and blood transfusions directly into a vein, which allows easy access to a vein for blood draws. Patients with with cancer, severe infections, kidney failure and IBD may need implanted ports which are implanted by suitably trained personnel across NHS Scotland.

Lot 12 - We envisaged seven suppliers being awarded to this lot as a multi supplier unranked award.

Potential framework suppliers to are awarded to one or more lots, can list their range of products here as this lot will not be scored nor evaluated.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £250,000

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

List and brief description of selection criteria

3 years financial accounts

Minimum level(s) of standards possibly required

Potential Framework Participants must confirm the limits of indemnity per occurrence and aggregate for Public Liability, and any other

Relevant insurances are above the minimum of 2 million UKGBP for any one incident in any one year. Potential framework participants.

Must confirm Employer liability of 5 million UKGBP.

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

1. All products to be CE Marked in accordance with MDD 93/42/EEC
2. Confirmation that ancillaries tendered and classed as medical devices will carry the appropriate CE declaration and will be in compliance with the regulatory requirements in the UK as part of transition arrangements from the European to British regulatory legislation when the Brexit transition periods ends 31 December 2020 should be included in the qualification envelope of the ITT under technical and professional ability: quality control.
3. All products must be latex free inclusive of packaging.
4. Potential framework participants must confirm all products tendered for contain batch/lot codes with expiry dates in lowest unit configuration.
5. All products must be single use.
6. The prices of all products must be valid for the first two years of the framework.
7. All products tendered for must be sterile.
8. Potentials bidders have a minimum of 1 Whole Time Equivalent (WTE) for the duration of the framework, including the extension periods, covering all NHS Scotland Health Boards.
9. Compliance to ISO13485 or equivalent.
10. Compliance with GS1/Scan for Safety
11. Where there are any product changes, the authority must be given three months notice.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 84

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

31 August 2022

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.7) Conditions for opening of tenders

Date

31 August 2022

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

The values in Sections II.1.5 and II.2.6 cover the full duration of the framework including any extension options that may be exercised.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 21301. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

It is a mandatory requirement that potential framework participants agree to support the concept, provision and ongoing development of community benefits provision in relation to this framework.

Potential framework participants are required to agree to this mandatory requirement. They are also requested to provide a brief summary of the community benefits that have recently been delivered within Scotland, if at all, and also what impact and outcomes these have achieved.

Potential framework participants are required to summarise any proposed community

benefits that will be developed and delivered as part of this contract if successful or, alternatively, potential framework participants confirm that they will engage with the NHS Scotland's Community Benefits Gateway (CBG). This gateway, developed through requests from suppliers seeking opportunities to support the delivery of community benefits within the contracting region, provides information on community benefit opportunities. The CBG is a free and easy to use online service that connects NHS Scotland suppliers with third sector community organisations within Scotland and will be used for tracking and reporting and is an approved compliant route to the realisation of community benefits.

For further information please visit NHSS Community Benefit Gateway

(SC Ref:695676)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH11 1LB

Telephone

+44 1312252525

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Authority will notify economic operators who submitted a tender or (where no deselection process has previously been made) applied

to be selected to tender, of its decision to award the Framework Agreement which notification will contain, among other information, a

summary of the reasons as to why the economic operator was unsuccessful. The

notification will incorporate a 'standstill period' of a

minimum of 10 (ten) clear calendar days (or a minimum of 15 (fifteen) if the communication method used is not electronic) between the

date on which the Authority despatches the notice(s) and the date on which the Authority proposes to conclude the relevant Framework

Agreement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition

on entering into the Framework Agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim

order, brings to an end the prohibition. The remedies that may be awarded by the courts before the Framework Agreement has been entered

into include the setting aside of the decision to award the Framework Agreement to the winning tenderer(s). The bringing of court

proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless

grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the

remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages